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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,031	10/27/2000	Michael L Obradovich	40985/DMC/C685	6778
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CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			EXAMINER TO, BAOQUOC N	
			ART UNIT 2162	PAPER NUMBER
DATE MAILED: 12/22/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,031

Applicant(s)

OBRADOVICH, MICHAEL L

Examiner

Baòquoc N To

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2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,11-14,16 and 22-29 is/are pending in the application.
- 4a) Of the above claim(s) 3-10,12,15 and 17-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11-14,16 and 22-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 09/27/2004 for a Requested For Continued Examination (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/699031 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 1-7, 11, 13, 14, 16 and 22-25 are pending in this application. Claims 1-2 and 11 are amended and newly added are 26-29.

Claim Objections

3. Claim 1 is objected to because of the following informalities: the word "store" should be "stores". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: The PCD contains a GPS receiver and processing system, and the PCD determines its position using the GPS receiver and processing system. Assuming this is the how the step of determining being done the examiner give the rejection based on this.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondou et al. (US. Patent No. 6,073,075) in view of Nakano et al. (US. Patent No. 6,334,087 B1).

Regarding on claim 1, Kondou teaches a method, using a personal computer device, of populating a database comprising:

determining, by the personal computer device, a location of the personal computer device (when information on the current place and destination of the mobile terminal input) (col. 2, lines 9-11);

transmitting, by the personal computer device, information regarding the location, from the server (reporting the input information on the current place and destination to the information server through network) (col. 2, lines 13-15); and

Kondou does not explicitly teach requesting, by the personal computer device, that the server store the in a database associated with a user of the personal computer device. However, Kondou teaches "when the information server receives from the mobile terminal a report of information on the current place and destination of the mobile terminal, and to send service information containing positional information

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corresponding to the whole area through the network to the mobile terminal; and causing the mobile terminal to store in storage the received service information containing positional information corresponding to the whole area, to cut the connection to the network and to output the beforehand stored service information accordance with the user's request" (col. 2, lines 16-25). This suggests that the information, which is interested by the user, is stored in the personal computer. On the other hand, Nakano teaches "next, the processing portion 15 searches the map database 9, the traffic information database 10, the weather information database 11, and the event information database 12 to extract only information closely related to the route obtained in step S304 (that is, the route related information) (step S305)" (col. 14, lines 44-48). This teaches the only the portion of the retrieved map is sent to the terminal. In addition, Nakano teaches "alternatively, for example, the elements may be downloaded from the server said to be added to the elements stored in the mobile terminal side or to update the stored elements. Thus, the elements at the mobile terminal side are also added/updated according to addition/update of the map related information at the server side, and thereby it is possible to provide the least, wide-ranging information" (col. 22, lines 16-22). This teaches the server stored the same requested map as the terminal which is the same concept recited "requesting, by the personal computer device, that the server store in the database associated with a user of the personal computer device." Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Kondou's system to include storing the requested map at the server same as the terminal as taught by Nakano to provide

server with much bigger disk to store the all the related map information for user to access at later time.

Regarding on claim 2, Kondou teaches a method of populating a database recited in claim 1 wherein determining a location of the personal computer device comprising:

Evaluating the position of the personal computer device, the personal computer device being a GPS capable device (col. 5, lines 6-36);

Waiting a pre-selected period (col. 5, lines 6-36);

Reevaluating the position of the GPS capable device (col. 5, lines 6-36); and

Determining if the position of the GPS capable device before and after waiting the pre-selected time period is substantially the same (col. 5, lines 6-36)

Regarding on claim 26, Kondou teaches the method cited in claim 1 wherein the information from the external server comprises an address of the location (col. 4, lines 30-35)

Regarding on claim 27, Kondou teaches the method recited in claim 1 wherein the information from the external server comprises the name of a business (restaurant and convenience stores) (col. 4, lines 30-35).

Regarding on claim 28, Kondou teaches the method recited in claim 1 further comprising providing, by the personal computer device, an input screen to allow for input of information by the user (the mobile terminal 10 then informs the information server 21 of the positional information on the user's current place and destination input by the user (S106)) (col. 5, lines 18-21).

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Regarding on claim 29, Kondou teaches the method recited in claim 28 wherein the information provided to the remote computer system includes the information input by the user (the mobile terminal 10 then informs the information server 21 of the positional information on the user's current place and destination input by the user (S106)) (col. 5, lines 18-21).

6. Claims 11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938) in view of Colson et al. (US. Patent No. 6,574,734).

Regarding on claim 11, Herz teaches a method of accessing data in a database using a profile, the data comprising an indication of a geographic location and information regarding the geographic location, the method comprising:

Receiving a request for data from a database (search for target object) (col. 26, lines 17-19);

Forming search criteria for a search of the database, the search criteria including details of the request for data and details of a profile identified by the profile identification (to search for target objects that match a search profile from a user's search profile set) (col. 26, lines 17-21); and

Locating data fulfilling the search criteria (col. 26, lines 19-21).

Herz does not explicitly teach receiving a profile identification associated with the request for data from the database, the profile identification identifying a profile, the profile being associated with a user, the user having multiple profiles associated with the user, the multiple profiles including a profile including information about the user

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relating to the user's preferences and a standard profile, the standard profile being a standardized profile made available for selection by the user so that users may avoid creating their own profile. However, Herz states, "because people have multiple interests, for example, by consisting of a set of individual search profiles, each of which identifies one of the user's areas of interest" (col. 5, lines 19-23). In addition, Herz also states, "because people have multiples interests, a target profile interest summary for a single user must represent multiple areas of interest, for example, by consisting of a set of individual search profiles, each of which identifies one of the user's areas of interest. Each user is presented with those target object whose profile mostly match the user's interests as described by the user's target profile interest summary" (col. 5, lines 19-26). This implication teaches a target profile interest is the profile including information about user and the individual search profile is the standard profile for the user to use in the search. Herz also discloses "the user may desire that all or part of the target profile interest summary to be kept confidential, such as information relating to the user's political, religious, financial or purchasing behavior" (col. 5, lines 38-41). This suggests that the personal information in the interest profile summary are user preferences. Herz discloses multiples profiles for searching excepting for a standard profile, the standard profile being a standardized profile made available for selection by the user so that users may avoid creating their own profile. On the other hand, Colson teaches "in addition to the password profiles, Standard user profiles may be associated with the automotive computing platform, which may include: guest, owner, driver, passenger, authorized dealer, authorized dealer, ship mechanic, authorized factory engineer.

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There may also be other user profiles that are specific to and are defined by system services or third party application installed on the computing platform” (col. 10, lines 52-59). The standard profile is a predetermined profile, which is set by the system services. Furthermore, the profile can be used to search and filtering the information which meet the requirement of requesting information on both Herz and Colson. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Herz's system to include a standard profile in order to provide a uniform profile to access the resource in the database system.

Regarding on claim 13, Herz teaches the user information includes a user age (age) (col. 4, lines 47-67).

Regarding on claim 14, Herz teaches the profile includes items identified as favorites of the user (target object) (col. 4, lines 47-67).

7. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938) in view of Colson et al. (US. Patent No. 6,574,734) and further in view of Reese (US. Patent No. 6,374,237).

Regarding on claim 16, Herz teaches modifying user profile by the server except a request for modification of details of a profile, and modifying the profile in response to the request for modification of details of the profile. However, Reese states, “the client prompts (step 260) the user to modify the user profile request. If the user wish to modify the user profile request, the client can send the modified user profile to the matching server to conduct a further search of the content sites” (col. 4, lines 22-27).

This implication teaches the user is prompt for choice of modifying the user profile and if

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so the modified user profile is sent to the server to conduct the search. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Reese into Herz in order to allow the user to request to modify the user profile and using the modified profile to search would retrieve the result much relevance to the users.

8. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938) in view of Kim et al. (US. Patent No. 6,546,002 B1).

Regarding on claim 22, Herz teaches the searching and filtering system which utilize multiples profiles interested by the users (col. 5, lines 23-26). Herz does not explicitly teach the copied of the profile, the copied profile being, when created, a copy of another profile associated with the user. On the other hand, Kim teaches "when a particular user access the MIA 102 with a computer device for the first time on that device, a copy of the profile data 138a need to be cached to the local memory 106. The MIA 102 will be send a request to the profile manager 134 to send a cached copy of the profile data 138a to the local database 160 in order to created the profile database 138b" (col. 7, lines 44-51). This suggests the standard profile as the user access the system and a copy of the user profile is created. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Herz's system to include standardized profile and a copy of the same profile in order to allows a profile manager to export a user's profile, configuration, or setting data from one communication network such as the Internet to another network (such as the cellular

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phone network or the cable television network) to be accessible by mobile interface agents or other software or devices on the network.

Regarding on claim 23, Herz teaches the user information includes a user age (age) (col. 4, lines 47-67).

Regarding on claim 24, Herz teaches the profile includes items identified as favorites of the user (target object) (col. 4, lines 47-67).

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al (US. Patent No. 5,754,938) in view of Kim et al. (US. Patent No. 6,546,002 B1) and further in view of Reese (US. Patent No. 6,374,237).

Regarding on claim 25, Herz teaches modifying user profile by the server except a request for modification of details of a profile, and modifying the profile in response to the request for modification of details of the profile. However, Reese states, "the client prompts (step 260) the user to modify the user profile request. If the user wish to modify the user profile request, the client can send the modified user profile to the matching server to conduct a further search of the content sites" (col. 4, lines 22-27). This implication teaches the user is prompt for choice of modifying the user profile and if so the modified user profile is sent to the server to conduct the search. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Reese into Herz in order to allow the user to modify the user profile and using the modified profile to search would retrieve the result much relevance to the users.

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Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:


(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To

Nov 30, 2004


JEAN M. CORRIELUS
PRIMARY EXAMINER